

October 13, 2006

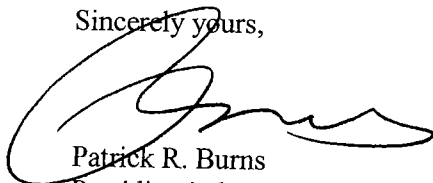
Dear Substance Abuse Treatment Provider,

On July 5 a letter from the presiding judges of the district and municipal courts of King County was circulated setting out what the courts would require as a basis for a substance abuse evaluation. As would be expected in an effort of this magnitude, a number of questions and issues have been raised which need clarification.

- Any evaluation done prior to August 1, 2006 does not have to be redone to comply with the July 5, 2006 format.
- All evaluation done at the request of defense counsel should be provided to that attorney and not to the court. They should not be filed with the court until either a finding of guilt has been entered or a petition for deferred prosecution has been submitted. The evaluation will be required to meet the criteria set forth in the letter of July 5, 2006.
- If a urinalysis has not been provided the evaluation should set out the reason, e.g., a refusal, unable to afford it, etc.
- If a police report or probable cause statement is unavailable from the court or defense counsel, then the evaluation should so indicate.
- DCH's will be provided by the courts for the defendant for the purpose of providing the same to the treatment provider to assist in the evaluation process.
- The courts will accept HIPPA/42CFR compliant CD agency releases of information when agencies request the DCH and police report. The releases included in the July 5, 2006 letter are samples, not requirements.
- Courts will accept assessments without U/A, police reports and DCH when the client has been assessed as chemically dependant (SP2). Any evaluation less than that will require all three items of information be considered.

On behalf of the judges of the district and municipal courts of King County thank you very much for the cooperation you have shown thus far in this effort to obtain consistency and accountability in the substance abuse evaluation process. The results to date have been very successful.

Sincerely yours,



Patrick R. Burns  
Presiding judge  
Auburn Municipal Court